

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:12CR177
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	JOINT PRELIMINARY
JEFFREY J. REICHERT,)	<u>STATEMENT OF THE CASE</u>
)	
Defendant.)	

The parties hereby submit the following Joint Preliminary Statement, pursuant to the Court's criminal trial order dated December 5, 2012:

The defendant, Jeffrey J. Reichert, is charged in a one count indictment with violating the Digital Millennium Copyright Act ("DMCA"), Title 17, United States Code, Sections 1201(a)(1)(A) and 1204(a). The indictment alleges that between June 15, 2007 and August 1, 2007, Jeffrey J. Reichert knowingly and willfully imported, offered to the public, or trafficked in products or devices which were primarily designed to circumvent the copyright protection features designed into electronic gaming systems, including the Nintendo Wii game console, and he did so for purpose of commercial advantage or private financial gain.

The "products or devices" in question were modification chips (also referred to as Mod

Chips) for the Nintendo Wii game console and a Nintendo Wii game console modified with a Mod Chip already installed. Mod Chips are small electronic devices, similar to a microchip.

Defendant, Jeffrey J. Reichert, denies that he is guilty of the offense charged in the indictment. Specifically, Jeffrey J. Reichert denies that he willfully and knowingly trafficked in products or devices which were primarily designed to circumvent copyright protections.

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CERTIFICATE OF SERVICE

The undersigned certifies that on January 11, 2013, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

s/Chelsea S. Rice

Chelsea S. Rice

Assistant U.S. Attorney